

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Julian Phillips	Team: Squad #9	CCRB Case #: 201703882	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 05/10/2017 5:02 PM	Location of Incident: [REDACTED]	Precinct: 20	18 Mo. SOL 11/10/2018	EO SOL 11/10/2018	
Date/Time CV Reported Wed, 05/10/2017 10:10 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 05/16/2017 12:07 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Andrew Campbell	30258	950146	020 PCT
2. POM Kenneth Slaughter	08012	945012	020 PCT
3. POM Ronnie Fernandez	06024	934855	020 PCT
4. SGT Kelvin Perez	04539	940565	020 PCT
5. Officers			020 PCT
6. POM William Curley	01500	948836	020 PCT
7. POM Nicholas Ramsammy	22362	953301	020 PCT
8. POM Alberto Natal	29342	933082	020 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Sokratis Toumanidis	06739	937646	020 PCT
2. LT Anthony Lavino	00000	935164	020 PCT
3. DTS Anthony Sinacori	7360	931225	020 PCT
4. POM Christophe Konecni	16984	932862	020 PCT
5. POM Andrew Menzione	12980	950878	020 PCT
6. POM Roberto Vasquez	17258	952314	020 PCT
7. POM Edward Groger	07022	956703	020 PCT
8. POM Jack Etter	17186	958564	020 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Nicholas Ramsammy	Force: On May 10, 2017, in front of § 87(2)(b) in Manhattan, Police Officer Nicholas Ramsammy tackled § 87(2)(b)	[REDACTED]
B.POM Andrew Campbell	Force: On May 10, 2017, in front of § 87(2)(b) in Manhattan, Police Officer Andrew Campbell threw § 87(2)(b)	[REDACTED]

Officer(s)	Allegation	Investigator Recommendation
C.POM Kenneth Slaughter	Force: On May 10, 2017, in front of § 87(2)(b) in Manhattan, Police Officer Kenneth Slaughter threw § 87(2)(b) against a wall.	
D.POM Kenneth Slaughter	Force: On May 10, 2017, in front of § 87(2)(b) in Manhattan, Police Officer Kenneth Slaughter used a chokehold against § 87(2)(b).	
E.POM Kenneth Slaughter	Off. Language: On May 10, 2017, in front of § 87(2)(b) in Manhattan, Police Officer Kenneth Slaughter made remarks to § 87(2)(b) based upon ethnicity.	
F.POM Kenneth Slaughter	Discourtesy: On May 10, 2017, in front of § 87(2)(b) in Manhattan, Police Officer Kenneth Slaughter spoke discourteously to § 87(2)(b).	
G.POM Andrew Campbell	Force: On May 10, 2017, in front of the 20th Precinct stationhouse in Manhattan, Police Officer Andrew Campbell hit § 87(2)(b) against a wall.	
H.POM Ronnie Fernandez	Force: On May 10, 2017, in front of the 20th Precinct stationhouse in Manhattan, Police Officer Ronnie Fernandez hit § 87(2)(b) against a wall.	
I.POM Kenneth Slaughter	Force: On May 10, 2017, in front of the 20th Precinct stationhouse in Manhattan, Police Officer Kenneth Slaughter hit § 87(2)(b) against a wall.	
J.POM Andrew Campbell	Force: On May 10, 2017, in front of the 20th Precinct stationhouse in Manhattan, Police Officer Andrew Campbell punched § 87(2)(b).	
K. Officers	Force: On May 10, 2017, inside the 20th Precinct stationhouse in Manhattan, officers tackled § 87(2)(b).	
L. Officers	Force: On May 10, 2017, inside the 20th Precinct stationhouse in Manhattan, officers dragged § 87(2)(b).	
M.SGT Kelvin Perez	Abuse: On May 10, 2017, inside the 20th Precinct stationhouse, Sergeant Kelvin Perez threatened § 87(2)(b) with the use of force.	
N.POM William Curley	Force: On May 11, 2017, inside § 87(2)(b) Hospital in Manhattan, Police Officer William Curley pushed § 87(2)(b).	
O.POM William Curley	Force: On May 11, 2017, inside § 87(2)(b) Hospital in Manhattan, Police Officer William Curley dragged § 87(2)(b).	
P.POM Alberto Natal	Force: On May 11, 2017, inside § 87(2)(b) Hospital in Manhattan, Police Officer Alberto Natal dragged § 87(2)(b).	

Case Summary

On May 10, 2017, this complaint was generated by the NYPD's Internal Affairs Bureau after § 87(2)(b) complained to an officer about physical force that had been used during his arrest.

On May 10, 2017 at approximately 5:02 p.m., in the vicinity of § 87(2)(b) in Manhattan, PO Nicholas Ramsammy tackled § 87(2)(b) who he had just observed shoplifting (**Allegation A: Force**, § 87(2)(g)). PO Andrew Campbell and PO Kenneth Slaughter arrived at the scene and allegedly lifted § 87(2)(b) off the ground and threw him into the rear of a police vehicle (**Allegations B and C: Force**, § 87(2)(g)). After § 87(2)(b) was placed inside the vehicle, PO Slaughter allegedly placed his hand on § 87(2)(b)'s windpipe and applied pressure (**Allegation D: Force**, § 87(2)(g)). § 87(2)(g) said "keep your spic ass from the Upper West Side" (**Allegation E: Offensive Language**, § 87(2)(g)) and said "shut the fuck up" (**Allegation F: Discourtesy**, § 87(2)(g)). Officers transported § 87(2)(b) to the 20th Precinct stationhouse, located at 120 West 82nd Street in Manhattan. While escorting § 87(2)(b) into the stationhouse, PO Campbell, PO Slaughter, and PO Ronnie Fernandez allegedly slammed § 87(2)(b)'s body against an exterior wall (**Allegations G through I: Force**, § 87(2)(g)) and PO Campbell allegedly punched § 87(2)(b)'s torso (**Allegation J: Force**, § 87(2)(g)). Inside the stationhouse, unidentified officers allegedly pushed § 87(2)(b) onto the floor (**Allegation K: Force**, § 87(2)(g)) and dragged his body across the floor into the holding cell area (**Allegation L: Force**, § 87(2)(g)). Inside the holding cell area, Sgt. Kelvin Perez allegedly pressed a Conducted Electrical Weapon against § 87(2)(b)'s forehead and said "don't move or I'll shoot you" (**Allegation M: Abuse of Authority**, § 87(2)(g)). The following day, on § 87(2)(b), officers transported § 87(2)(b) to § 87(2)(b) Hospital, located at § 87(2)(b) in Manhattan. Inside the hospital, PO William Curley allegedly pushed § 87(2)(b) onto the floor (**Allegations N: Force**, § 87(2)(g)) and PO Curley and PO Alberto Natal allegedly dragged his body across the floor (**Allegations P and Q: Force**, § 87(2)(g)). § 87(2)(b). There is surveillance video footage of portions of this incident (01 Board Review, 02 Board Review, 03 Board Review).

Findings and Recommendations

Allegation A: Force – On May 10, 2017, in front of § 87(2)(b) in Manhattan, Police Officer Nicholas Ramsammy tackled § 87(2)(b)

In two sworn statements to the CCRB (04 Board Review, 05 Board Review), § 87(2)(b) stated that, at the time of the incident, he was walking on Broadway looking at products displayed in nearby storefronts. § 87(2)(b) stated that he entered at least one store, but did not purchase or otherwise remove any items from any store. Abruptly, an officer identified by the investigation as PO Ramsammy, tackled § 87(2)(b) and handcuffed him, without first identifying himself or saying anything.

Sgt. Perez and PO Ramsammy provided consistent statements (06 Board Review, 07 Board Review) that, while they were driving down Broadway, PO Ramsammy observed § 87(2)(b) exhibit behavior characteristic of casing stores, and followed him into a Staples store located at § 87(2)(b). Inside the store, PO Ramsammy observed § 87(2)(b) place a laptop in his bag

§ 87(2)(b) inside the police van, PO Campbell and PO Slaughter grasped hold of § 87(2)(b)'s arms and maneuvered him through the open door. All of the officers denied that § 87(2)(b) was lifted off the ground and flung into the van.

§ 87(2)(b), § 87(2)(g)

Allegation D: Force – On May 10, 2017, in front of § 87(2)(b) in Manhattan, Police Officer Kenneth Slaughter used a chokehold against § 87(2)(b)

Allegation E: Offensive Language – On May 10, 2017, in front of § 87(2)(b) in Manhattan, Police Officer Kenneth Slaughter made remarks to § 87(2)(b) based upon ethnicity.

§ 87(2)(b) stated that, after he was seated in the final row of seats in the van, an officer (identified by the investigation as PO Slaughter) positioned himself in the second row of seats directly in front of § 87(2)(b). PO Slaughter then reached his arm over the seat, placed his hand on § 87(2)(b)'s windpipe, and applied pressure for approximately 30 seconds. During this time, PO Slaughter said, "Keep your spic ass from the Upper West Side. The Upper West Side is going to stay the Upper West Side. We don't need people like you around here."

PO Campbell and PO Slaughter were consistent in stating that, inside the van, § 87(2)(b) sat in the final row of seats, while PO Slaughter was positioned in the row directly in front of § 87(2)(b). They further stated that PO Slaughter restrained § 87(2)(b) (who was extremely agitated) by reaching his arms over the seat and placing his hands on § 87(2)(b)'s shoulders and chest area. PO Campbell, PO Fernandez, and PO Slaughter all denied that PO Slaughter made any contact with § 87(2)(b)'s windpipe. PO Campbell, PO Fernandez, and PO Slaughter all denied that PO Slaughter said, "Keep your spic ass from the Upper West Side" or made any other reference to § 87(2)(b)'s ethnicity.

§ 87(2)(b), § 87(2)(g)

Allegation F: Discourtesy – On May 10, 2017, in front of § 87(2)(b) in Manhattan, Police Officer Kenneth Slaughter spoke discourteously to § 87(2)(b)

§ 87(2)(b) stated that, while he was inside the police van en route to the 20th Precinct stationhouse, an officer, identified by the investigation as PO Slaughter, said to him “shut the fuck up.”

PO Campbell denied that PO Slaughter said to § 87(2)(b) “shut the fuck up.” PO Fernandez and PO Slaughter both affirmed that they did not recall whether PO Slaughter made this statement. When asked specifically if he had used the word “fuck” in speaking to § 87(2)(b) PO Slaughter answered, “I may have.”

§ 87(2)(b), § 87(2)(g)

Allegation G: Force – On May 10, 2017, in front of the 20th Precinct stationhouse in Manhattan, Police Officer Andrew Campbell hit § 87(2)(b) against a wall.

Allegation H: Force – On May 10, 2017, in front of the 20th Precinct stationhouse in Manhattan, Police Officer Ronnie Fernandez hit § 87(2)(b) against a wall.

Allegation I: Force – On May 10, 2017, in front of the 20th Precinct stationhouse in Manhattan, Police Officer Kenneth Slaughter hit § 87(2)(b) against a wall.

Allegation J: Force – On May 10, 2017, in front of the 20th Precinct stationhouse in Manhattan, Police Officer Andrew Campbell punched § 87(2)(b)

§ 87(2)(b) stated that, after he exited the police van outside the 20th Precinct stationhouse, three officers, identified by the investigation as PO Campbell, PO Fernandez, and PO Slaughter escorted him to the entrance of the stationhouse. § 87(2)(b) further stated that he was walking towards the door without making any other physical movements when the officers slammed his body against the exterior wall of the stationhouse. An officer, identified by the investigation as PO Campbell, punched him five times in the rib area.

PO Campbell, PO Slaughter, and PO Fernandez were consistent in stating that, immediately upon exiting the police van, § 87(2)(b) lunged forward in an apparent attempt to strike an officer with his head (the officers were inconsistent in identifying the officer § 87(2)(b) attempted to strike). Two officers then grasped § 87(2)(b)'s arms and escorted him into the stationhouse without further incident. All three officers denied that any officer struck § 87(2)(b) against a wall or punched him. § 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

Allegation K: Force – On May 10, 2017, inside the 20th Precinct stationhouse in Manhattan, officers tackled § 87(2)(b)

Allegation L: Force – On May 10, 2017, inside the 20th Precinct stationhouse in Manhattan, officers dragged § 87(2)(b)

Allegation M: Abuse of Authority – On May 10, 2017, inside the 20th Precinct stationhouse, Sergeant Kelvin Perez threatened § 87(2)(b) with the use of force.

§ 87(2)(b) stated that, while he was standing in front of the central desk inside the 20th Precinct stationhouse, multiple uniformed officers (who he could not identify or describe) pushed him onto the floor and dragged his body approximately twenty feet across the floor into the holding cell area. Once inside the holding cell, an officer, identified by the investigation as Sgt. Perez, pressed the mouth of a yellow Conducted Electrical Weapon against § 87(2)(b)'s temple and said, "Don't move or I'll shoot you in the head."

PO Campbell, PO Fernandez, PO Slaughter, and Sgt. Perez were consistent in stating that § 87(2)(b) walked under his own power, escorted by several officers, from the main desk of the 20th Precinct into the holding cell area. Once in this area, § 87(2)(b) struck PO Campbell in the face with his own head. § 87(2)(b) fell onto the ground (none of the officers interviewed were able to say whether § 87(2)(b) fell to the ground of his own volition or whether force used by officers caused him to fall). Threat, Resistance, and Injury Reports prepared by PO Campbell, PO Slaughter, and PO Fernandez state that a forcible take down was used against § 87(2)(b) after he struck PO Campbell with his head, but do not document any additional force (22 Board Review, 23 Board Review, 24 Board Review). All of the officers denied that Sgt. Perez pointed a Conducted Electrical Weapon at § 87(2)(b) and threatened to deploy it.

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§ 87(2)(b), § 87(2)(g)

Allegation N: Force – On May 11, 2017, inside § 87(2)(b) Hospital in Manhattan, Police Officer William Curley pushed § 87(2)(b)

Allegation O: Force – On May 11, 2017, inside § 87(2)(b) Hospital in Manhattan, Police Officer William Curley dragged § 87(2)(b)

Allegation P: Force – On May 11, 2017, inside § 87(2)(b) Hospital in Manhattan, Police Officer Alberto Natal dragged § 87(2)(b)

§ 87(2)(b) stated that, while he was being escorted out of § 87(2)(b) Hospital by PO Curley and a second officer, identified by the investigation as PO Natal, PO Curley pushed him, causing him to fall to the floor. PO Curley and PO Natal then grasped hold of the shackles restraining § 87(2)(b)'s legs and dragged him on his back approximately three to four feet.

PO Curley and PO Natal both stated (11 Board Review, 12 Board Review) that § 87(2)(b) was extremely agitated and repeatedly went limp while they were escorting him out of § 87(2)(b) Hospital, but that he remained upright. The officers were consistent in stating that they did not recall dragging § 87(2)(b) at any point.

§ 87(2)(b), § 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b), § 87(2)(g)
- PO Campbell has been a member of the NYPD for six years and has three prior CCRB allegations involving one complaint with no substantiated allegations (13 Board Review).
 - In CCRB case number 2014 09329, PO Campbell was alleged to have struck an arrested individual against a wall inside the 20th Precinct stationhouse. This allegation was closed as unsubstantiated.

- PO Curley has been a member of the NYPD for seven years and has one prior CCRB allegation involving one complaint with no substantiated allegations (14 Board Review). This § 87(2)(g)
- PO Fernandez has been a member of the NYPD for 13 years and has eight prior CCRB allegations involving six cases with no substantiated allegations (15 Board Review). None of § 87(2)(g)
- PO Natal has been a member of the NYPD for 14 years and has five prior CCRB allegations involving four cases with no substantiated allegations (16 Board Review). § 87(2)(g)
- Sgt. Perez has been a member of the NYPD for 11 years and has 12 prior CCRB allegations involving seven cases with one substantiated allegation (17 Board Review).
 - In case 201201695, the CCRB recommended Charges against Sgt. Perez (who then held the rank of Police Officer) for directing a street stop. No penalty was imposed.
- PO Ramsammy has been a member of the NYPD for five years and has four prior CCRB allegations involving one case with no substantiated allegations (18 Board Review). § 87(2)(g)
- PO Slaughter has been a member of the NYPD for ten years and has four prior CCRB allegations involving three cases with no substantiated allegations (19 Board Review).
 - In case 200812786, PO Slaughter was alleged to have twice used the word “fuck” while issuing summonses to a food vendor. These allegations were closed as unfounded.

Mediation, Civil and Criminal Histories

- This case was deemed ineligible for mediation due to § 87(2)(b)'s arrest.
- § 87(2)(b)

Squad No.: _____

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date